

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

UNITED STATES OF AMERICA)	
)	
v.)	Criminal No. 17-70
)	
JEFFREY ALLEN BURGESS)	

SENTENCING MEMORANDUM

NOW COMES the Defendant, Mr. Jeffrey Allen Burgess, through his counsel, Assistant Federal Defender Andrew Lipson, respectfully filing this Sentencing Memorandum.

On November 28, 2017, Mr. Burgess pled guilty to Count 1 of the indictment pursuant to a plea agreement under Rule 11(c)(1)(C) of the Federal Rules of Criminal Procedure. The plea agreement sets forth a stipulated sentence of 3 years probation, four months of which are to be served on home detention. The stipulated sentence include several additional requirements that are tailored to Mr. Burgess and the offense of conviction: (1) continued alcohol abuse treatment, (2) 50 hours of community service, (3) and full participation in a restorative justice program administered by the Center for Victims.

Mr. Burgess has pled guilty and accepts full responsibility for his actions. He has been open and honest about his conduct with his family and colleagues, and has taken positive steps toward addressing underlying issues in his life

that contributed to his offense. For example, since the incident that is the subject of the government's charges, Mr. Burgess has attended counseling at Southwestern Human Services, which addressed issues such as anger management. PSR at 41. Additionally, he has proactively participated in substance abuse treatment since March 2017. PSR at 44. Mr. Burgess asserts that, in light of the parties' plea agreement and the factors that the Court must consider under 18 U.S.C. § 3553(a), the stipulated sentence is sufficient but not greater than necessary in order to satisfy the purposes of punishment in this case. Such a sentence is the product of good-faith negotiations seeking a just resolution of the charges against Mr. Burgess.

For the foregoing reasons, this Court should approve the plea agreement and sentence Mr. Burgess accordingly.

Respectfully submitted,

s/ Andrew Lipson

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